

CITY OF MUSKEGON  
MUSKEGON HOUSING BOARD OF APPEALS  
MEETING MINUTES  
10/02/08  
5:30PM

ATTENDANCE: Randy Mackie, Greg Borgman, Chris Carter, Ed Simmons, Nick Kroes

ABSENT: Jon Rolewicz

EXCUSED: Kirk Kolberg,

STAFF: Mark Kincaid, Carmen Smith, Henry Faltinowski, Don LaBrenz

GUESTS: Clay Paskel(267 Iona Garage), Keenan Sims(1969 Wood)  
Carol Ripley(1142 Maple), Paul Spoeman(1035 Pine)

Meeting minutes: A motion was made by Randy Mackie and seconded by Chris Carter to approve the September 2008 minutes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Nick Kroes			Jon Rolewicz	
Chris Carter				
Ed Simmons				
		Kirk Kolberg		

Motion carried.

**DANGEROUS BUILDING REVIEW CASES**

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**EN-080134 – 267 Iona – (Garage) –Clay J. Paskel – 267 Iona, Muskegon, MI 49442**

Ms Clay Paskel was present to represent case.

Ms Paskel stated building inspector met with her and suggested she get three estimates. She said she contacted five contractors and three responded but one did not drop off estimate. Chris Carter asked if intention was to repair garage. Ms Paskel said right now she's not financially able to repair but was told to get estimates to help make a determination. Chris Carter asked with cost of estimates in mind and current financial status if a timeline could be established. Ms Paskel asked if the garage is torn down would she be responsible for cost of demolition, she also mentioned medical bills which are her priority right now and with winter coming she can't see doing anything to repair garage until spring of next year. Nick Kroes asked if Ms Paskel had gotten any estimates on demolition cost, which she answered no. Nick Kroes said due to financial situation that consideration may be given to demolition. Staff informed Ms Paskel that she could obtain the building permit and get friends or family to help her demolish the garage herself.

Chris Carter made motion to declare structure dangerous, substandard and a public nuisance and motion was seconded by Randy Mackie.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
			Jon Rolewicz	
Nick Kroes				
Chris Carter				
Ed Simmons				
		Kirk Kolberg		

Motion carried.

**EN-080073 – 1035 Pine (Home & Garage ) Dessie Spoelman, 1537 Ridge Ave., Muskegon, MI 49441**

Paul Spoelman, owner's son was present to represent case.

Mr. Spoelman stated the Heritage Association has found an interested party who is pursuing the moving cost and a lot to relocate home. He said he doesn't know what the time frame will be for everything to be processed.

Staff Recommendation: Declare structure dangerous, substandard and a public nuisance.

Motion made by Chris Carter to accept staff recommendation and was seconded by Ed Simmons.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				

Randy Mackie

Jon Rolewicz

Nick Kroes  
Chris Carter  
Ed Simmons

Kirk Kolberg

Motion carried.

**EN -070251- 1142 Maple – Carol Ripley – 1780 Duchess Ct, Muskegon, MI 49442**

Carol Ripley was present to represent case.

Ms Ripley stated she's been working on house and was suppose to complete October 1, 2008 but took 6 months off and had planned to put roof on but waited until results of this meeting. Foundation is done. Mark Kincaid stated permits expired this week. Ms Ripley said the reason no further work has been done is because her son was killed in a accident and the house was shut down. Chris Carter asked how long would it take to complete repairs. Ms. Ripley said it would take a year or could be shortened to 6 months. Mark Kincaid stated Ms. Ripley has a good reputation in fixing homes in the city but would not be comfortable with a year.

Nick Kroes made motion to table case until August 2009 and was seconded by Ed Simmons.

A roll call vote was taken:

AYES:                      NAYES:                      EXCUSED:                      ABSENT:                      ABSTENTION:

Greg Borgman

Randy Mackie

Jon Rolewicz

Nick Kroes

Chris Carter

Ed Simmons

Kirk Kolberg

Motion carried.

**EN-070098- 1969 Wood – Keenan Sims, 2205 Leahy, Muskegon, MI 49442**

Mr. Keenan Sims was present to represent case.

Mr. Sims stated he was going to ask for more time, he just received estimates on the roof and wants to move forward on that first, then paint outside before it gets to cold. Chris Carter asked staff if there was any problem with Mr. Sims getting a permit for just the roof. Don LaBrenz said the concern was if Mr. Sims doesn't have the funds to complete all repairs and only does the roof, he could be subject to condemnation because he couldn't complete the rest of the project. Chris Carter asked what would make the staff comfortable to issue the roof permit. Mark Kincaid stated pulling building permit to do all the repairs would make staff feel confident Mr. Sims has money invested to complete project. Greg Borgman stated if permit was issued work cannot cease for any 30 day period of time. Chris Carter asked what would be the cost of the permit. Don LaBrenz said staff has been waiting for estimates for entire project because that's what the permit cost is based on. Mr. Sims said the roof is the worst part of the project and when he stop's the leaking in the inside he can proceed forward. Chris Carter asked for some middle ground from staff to consider letting Mr. Sims start with the roof. Nick Kroes asked about intention of property. Mr. Sims said he wants to move in. Mr. Sims said he's paid mortgage off. Greg Borgman asked about inquiry into Neighborhood Investment Corporation. Mr. Sims said he has tried to get help but his credit poses problem. Chris Carter asked Mr. Sims if other items on list can be repaired in timely fashion. Mr. Sims asked if he does the roof and exterior does the staff require him to finish everything this year. Mark Kincaid said concern is if all funds are used to complete roof and then other repairs are not completed that house could still be condemned. Chris Carter asked Mr. Sims if he was committed to complete items on the list and understand all the options and if items are not completed that the possibility of demolition would exist. Mark Kincaid said staff would be breaking a precedent which is to apply for a building permit to cover all repairs. Chris Carter expressed understanding of situation. Ed Simmons asked Mr. Sims how

long would it take to do the roof. Mr. Sims said he had an estimate of \$2400 but would like to get few more and then he would start roof.

Staff Recommendation: Table case until December 2008 meeting with owner to obtain roof permit, provide timeline, progress inspection every 30 days and obtain permit for completion of project.

Motion made by Chris Carter to accept staff recommendation and was seconded by Ed Simmons.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman		Randy Mackie		
			Jon Rolewicz	
Nick Kroes				
Chris Carter				
Ed Simmons				
		Kirk Kolberg		

Motion carried.

#### **DANGEROUS BUILDING NEW CASES:**

**EN-080195 –(Garage) – 1305 Jefferson – Marie P. Anderson, 1305 Jefferson St., Muskegon, MI 49441**

No one was present to represent case.

A motion was made by Chris Carter to declare structure dangerous, substandard and a public nuisance and was seconded by Ed Simmons.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman		Randy Mackie		
			Jon Rolewicz	
Nick Kroes				
Chris Carter				
Ed Simmons				
		Kirk Kolberg		

Motion carried.

**EN-080202-(Garage) 1341 Lakeshore – Eric Shedd, 550 Norton Ave., Muskegon, MI 49444**

No one was present to represent case.

A motion was made by Nick Kroes to declare structure dangerous, substandard and a public nuisance and was seconded by Ed Simmons.

A roll call vote was taken:

AYES:                      NAYES:                      EXCUSED:                      ABSENT:                      ABSTENTION:

Greg Borgman

Randy Mackie

Jon Rolewicz

Nick Kroes  
Chris Carter  
Ed Simmons

Kirk Kolberg

Motion carried.

**OLD BUSINESS:**

Nick Kroes asked about 143 W. Southern. Mark Kincaid stated case scheduled to go before Historic District Commission and will then be submitted to City Commission in October 2008. Ed Simmons asked about status of Micro Brewery. Mark Kincaid stated no permits have been issued.

**NEW BUSINESS:**

**ADJOURNMENT:                      6:14 PM**

**CITY OF MUSKEGON**

**AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.**

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon.

Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Becker, City Clerk  
933 Terrace Street  
Muskegon, MI 49443  
(231) 724-6705 or TDD (231) 724-6773